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UNITED STATES DEPARTMENT OF AGRICULTURE
PRODUCTION AND MARKETING ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE INSECTICIDE ACT
1976-2015

The notices of judgment herewith relate to cases instituted in the United States district courts and are approved for publication, as provided in section 4 of the Insecticide Act of 1910 (36 Stat. 331).

LIONEL C. HOLM,
Acting Administrator,
Production and Marketing Administration.

WASHINGTON, D. C., April 1, 1948.

1976. Adulteration and misbranding of "Hi-Tox-20." U. S. v. 25 five-gallon cans, more or less, of "Hi-Tox-20." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2382. I. D. No. 10649.)

An analysis of "Hi-Tox-20" showed that the product consisted of mineral oil containing an organic chloride similar to orthodichlorobenzene, and coloring matter. An undiluted sample of the product, tested against bred flies in the Peet-Grady chamber, gave an average knock-down of 11 percent and a kill of 1 percent. Comparative tests with the official test insecticide gave an average knock-down of 92 percent and a kill of 56 percent.

On May 3, 1945, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 five-gallon cans, more or less, of "Hi-Tox-20" at Los Angeles, Calif., alleging that the product had been shipped in interstate commerce on or about April 1, 1944, by the Associated Chemists, Inc., from Chicago, Ill., and charging that the product was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that the statement, "Hi-Tox-20 in Odorless Base," borne on the containers of the product, purported and represented that the product's standard of quality was such that it had a strength comparable to a 20-1 concentrated fly spray, while the strength or purity of the product fell below such standard or quality, because it did not possess a strength comparable to a 20-1 concentrated fly spray.

The product was alleged to be misbranded because the label statement, "Hi-Tox-20 in odorless base," was false and misleading and tended to deceive and mislead the purchaser. The statement purported and represented by implication that the product possessed a strength comparable to a 20-1 concentrated fly spray, while the product did not possess such strength.

On May 28, 1945, no claimant having appeared, a decree of condemnation and forfeiture was entered, and the product was ordered to be destroyed.

1977. Adulteration and misbranding of "33 Bleach." U. S. v. 1,690 quart containers and 940 one-half gallon containers, more or less, of "33 Bleach." Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2425. I. D. No. 14243.)

Examination of samples of "33 Bleach" showed that it was a sodium hypochlorite solution and contained 4.25 percent of sodium hypochlorite.

On September 7, 1946, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,690 quart containers and 940 one-half gallon containers of "33 Bleach" at Hutchinson, Kans., alleging that the product had been shipped in interstate commerce, on or about September 12, 1945, from Chicago, Ill., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The shipment was made by the Beacon Chemical Corp.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled (quart size) "Active Ingredient Sodium Hypochlorite 5.25% by Wt. Inert Ingredients 94.75%" (half-gallon size) "Active Ingredient Sodium Hypochlorite 5.25% by Wt. Inert Ingredients 94.75 by Wt.," while it contained less than 5.25 percent of sodium hypochlorite and more than 94.75 percent inert ingredients.

It was alleged that the product was misbranded in that the statements (quart size) "Active Ingredient Sodium Hypochlorite 5.25% by Wt. Inert Ingredients 94.75%" (half-gallon size) "Active Ingredient Sodium Hypochlorite 5.25% by Wt. Inert Ingredients 94.75% by Wt.," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser, since it contained less than 5.25 percent sodium hypochlorite and more than 94.75 percent inert ingredients.

On March 10, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1978. Adulteration and misbranding of "Sun-X Sterilizer Bleach." U. S. v. 1,195 quart containers and 299 one-half gallon containers, more or less, of "Sun-X Sterilizer Bleach." Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2405. I. D. No. 12853.)

Examination of samples of "Sun-X Sterilizer Bleach" showed that it was a sodium hypochlorite solution and contained 20 percent less sodium hypochlorite than stated on the label.

On June 14, 1946, the United States Attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,195 quart containers and 299 one-half gallon containers of "Sun-X Sterilizer Bleach," at Cedar Rapids, Iowa, alleging that the product had been shipped in interstate commerce, on or about January 31, 1946, from Springfield, Ill., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The shipment was made by the Whitlock Chemical Co.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled "Sodium Hypochlorite 5.25%. Inert Ingredients 94.75% by weight," while it contained less than 5.25 percent sodium hypochlorite and more than 94.75 percent inert ingredients.

It was alleged that the product was misbranded in that the statements, "Sodium Hypochlorite 5.25%. Inert Ingredients 94.75% by Weight," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser, since the product contained less than 5.25 percent sodium hypochlorite and more than 94.75 percent inert ingredients.

It was alleged that the product was further misbranded in that the statement, "Sun-X Sterilizer * * * available chlorine solution of 200 parts per million is prepared by adding 1 ounce of Sun-X to 2 gallons of water," borne on the labels affixed to the containers, was false and misleading, and served to deceive and mislead the purchaser, since the statement purported and represented that the product provided a solution containing 200 parts per million available chlorine when 1 ounce of it was diluted with 2 gallons of water, and could be relied upon to disinfect when diluted as directed, while the product did not provide a solution containing 200 parts per million of available chlorine when diluted as directed, and would not disinfect when diluted as directed.

On July 16, 1946, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1979. Adulteration and misbranding of "Nu-Way's Bleach." U. S. v. 4,436 quart containers, more or less, of "Nu-Way's Bleach." Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2426. I. D. No. 14245.)

Examination of samples of "Nu-Way's Bleach" showed that it was a sodium hypochlorite solution and contained 3.24 percent of sodium hypochlorite.

On September 7, 1946, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4,436 quart containers of "Nu-Way's Bleach" at Wichita, Kans., alleging that the product had been shipped in interstate commerce, on or about November 12, 1945, from Bristow, Okla., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The shipment was made by the Nu-Way Products Co.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled "Active Ingredients Sodium Hypochlorite 5.25% by Wt. Inert Ingredients 94.75% by Wt.," while it contained less than 5.25 percent of sodium hypochlorite and more than 94.75 percent inert ingredients.

It was alleged that the product was misbranded in that the statements, "Active Ingredients Sodium Hypochlorite 5.25% by Wt. Inert Ingredients 94.75% by Wt.," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser, since it contained less than 5.25 percent sodium hypochlorite and more than 94.75 percent inert ingredients.

It was alleged that the product was further misbranded in that the statements, "Nu-Way's Bleach * * * Disinfects * * * As a * * * Disinfectant add 1 oz. Bleach for each 4 gallons cold water to prepare a disinfecting solution 100 parts per million Available Chlorine," borne on the labels affixed to containers in which the product was packed, were false and misleading and tended to deceive and mislead the purchaser, since the statements purported and represented that the product when used as directed would give a disinfecting solution of 100 parts per million available chlorine, while it would not give a disinfecting solution containing 100 parts per million available chlorine.

On October 29, 1946, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1980. Adulteration and misbranding of "33 Bleach Disinfectant Cleanser." U. S. v. 896 Quart Containers and 300 one-half Gallon Containers, more or less, of "33 Bleach Disinfectant Cleanser." Default decree of condemnation and destruction. (I. & F. No. 2430, I. D. No. 14259.)

An analysis of "33 Bleach Disinfectant Cleanser" showed that it contained 24.76 percent less sodium hypochlorite than was claimed on the label affixed to the product.

On September 24, 1946, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 896 quart containers and 300 one-half gallon containers, more or less, of "33 Bleach Disinfectant Cleanser" at Oklahoma City, Okla., alleging that the product had been shipped in interstate commerce on or about September 24, 1945, from Harrys, Tex., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The shipment was made by the Beacon Chemical Corp.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the labels affixed to the containers containing the product stated "Active Ingredient—Sodium Hypochlorite 5.25% By Weight—Inert Ingredients 94.75%," whereas said product contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients.

The product was alleged to be misbranded in that it contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients.

On November 21, 1946, no claimant having appeared, judgment of condemnation and forfeiture was entered, and the United States marshal was ordered to destroy the product.

1981. Adulteration and misbranding of 2,396 quarts of "Fleecy White Laundry Bleach." U. S. v. 2,396 quart containers, more or less, of "Fleecy White Laundry Bleach." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2431. I. D. No. 12756.)

An examination of "Fleecy White Laundry Bleach" showed that it was a sodium hypochlorite solution and contained approximately 3.91 percent of sodium hypochlorite.

On September 23, 1946, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 2,398 Quarts of "Fleecy White Laundry Bleach" at Winchester, Ky., alleging that the product had been shipped in interstate commerce on or about March 8, 1946, from Chicago, Ill., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The shipment was made by the John Puhl Products Co.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled in part, "Active Ingredients: Sodium Hypochlorite 5.25% by weight.

Inert Ingredients 94.75% by weight," whereas it contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

The product was alleged to be misbranded in that it contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

On November 6, 1946, no claimant having appeared, a default decree of condemnation and destruction was entered, and it was ordered that the product be destroyed.

1982. Adulteration and misbranding of "Lucky Dutchman Bleach." U. S. v. 930 quart containers, more or less, of Lucky Dutchman Bleach. Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2442. I. D. No. 13170.)

An examination of Lucky Dutchman Bleach showed it to be a sodium hypochlorite solution containing approximately 4.22 percent sodium hypochlorite.

On October 24, 1946, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 930 quart containers, more or less, of "Lucky Dutchman Bleach," alleging that the product had been offered for sale in the District of Columbia on or about October 10, 1946, by Mazo Bros., Inc., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the labels affixed to the containers in which the product was packed stated in part:

"Active ingredients sodium hypochlorite-----	5%
Inert ingredients -----	95%
	<hr/> 100%"

whereas, said product contained less than 5 percent sodium hypochlorite and more than 95 percent inert ingredients.

Said product was alleged to be misbranded in that it did not contain 5 percent sodium hypochlorite and did contain more than 95 percent inert ingredients.

On December 13, 1946, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered, and the United States marshal was directed to turn said product over to St. Elizabeth's Hospital for its use.

1983. Adulteration and misbranding of "White Glo Bleach." U. S. v. 5,988 quart containers, more or less, of "White Glo Bleach." (I. & F. No. 2436. I. D. No. 14112.)

An examination of "White Glo Bleach" disclosed it to be a sodium hypochlorite solution containing approximately 4.08 percent sodium hypochlorite.

On October 11, 1946, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 5,988 quart containers, more or less, of "White Glo Bleach," alleging that the product had been shipped in interstate commerce on or about September 1, 1945, from Chicago, Ill., to Mobile, Ala., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The shipment was made by the Laundry Supply Co., Inc.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was offered for sale, as the labels affixed to the containers in which said product was packed stated in part, "Active Ingredient, Sodium Hypochlorite 5.25% by Wt., Inert Ingredients 94.75% by Wt.," which statements purported and represented that said product contained not less than 5.25 percent sodium hypochlorite by weight and not more than 94.75 percent inert ingredients by weight, whereas said product contained a less amount of sodium hypochlorite and a greater amount of inert ingredients.

Said product was alleged to be misbranded in that it did not contain 5.25 percent sodium hypochlorite by weight and did contain more than 94.75 percent inert ingredients by weight. Said product was further alleged to be misbranded in that the statements, "To prepare a Disinfecting Solution 200 parts per million Available Chlorine—Add 1 oz. White-Glo for each 2 gallons cold water; mix well," borne on the labels affixed to the containers in which said product was packed, were false and misleading and served to deceive and mislead the purchaser of said product, as said statements purported and represented that said product

when used as directed would give a solution containing 200 parts per million available chlorine, or a solution strong enough to effectively disinfect, whereas said product when used as directed would not give a solution containing 200 parts per million of available chlorine and would not give a solution strong enough to disinfect effectively.

On December 19, 1946, no claimant having appeared, a default decree of condemnation and forfeiture was entered, and the United States marshal was directed to destroy the product.

1984. Adulteration and misbranding of "Zolox Bleach and Disinfectant." U. S. v. 2,948 quart containers and 522 one-half gallon containers, more or less, of "Zolox Bleach and Disinfectant." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2428. I. D. No. 14282.)

An examination of sample of "Zolox Bleach and Disinfectant" disclosed it to be a sodium hypochlorite solution containing approximately 4.01 percent sodium hypochlorite.

On September 20, 1946, the United States attorney for the Northern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure for condemnation and confiscation of 2,948 quart containers and 522 one-half gallon containers, more or less, of "Zolox Bleach and Disinfectant," alleging that the product had been shipped in interstate commerce on or about October 4, 1945, from Denver, Colo., to Tulsa, Okla., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The shipment was made by the Excel Products Co.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was offered for sale since the statements, "Active Ingredient—Sodium Hypochlorite 5.25%. Inert Ingredients 94.75%," borne on the label affixed to the containers in which the product was packed, purported and represented that the product contained not less than 5.25 percent of sodium hypochlorite and not more than 94.75 percent inert ingredients, whereas the product did not contain 5.25 percent sodium hypochlorite and did contain more than 94.75 percent inert ingredients.

The product was also alleged to be misbranded, as it contained less than 5.25 percent active ingredients and more than 94.75 percent inert ingredients.

On October 28, 1946, no claimant having appeared, a default decree of condemnation and forfeiture was entered, and the United States marshal was ordered to destroy the product.

1985. Adulteration and misbranding of "Savaday Bleach and Disinfectant." U. S. v. 439 quart containers, more or less, of "Savaday Bleach and Disinfectant." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2423. I. D. No. 13484.)

An examination of "Savaday Bleach and Disinfectant" disclosed it to be a sodium hypochlorite solution containing approximately 4.42 percent sodium hypochlorite.

On August 31, 1946, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 439 quart containers, more or less, of "Savaday Bleach and Disinfectant" at Gary, Ind., alleging that the product had been shipped in interstate commerce on or about May 31, 1946, from Chicago, Ill., to Gary, Ind., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The shipment was made by Barton Chemical Co.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was offered for sale, since the statement, "Active Ingredient: Sodium Hypochlorite 5.25 percent by Wt. Inert Ingredients 94.75 percent by Wt.," borne on the labels affixed to the containers in which the product was packed, purported and represented that the product contained not less than 5.25 percent of sodium hypochlorite by weight and not more than 94.75 percent inert ingredients by weight, whereas the product contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

The product was also alleged to be misbranded, as it did not contain 5.25 percent sodium hypochlorite by weight and did contain a greater amount than 94.75 percent of inert ingredients by weight.

On November 19, 1946, no claimant having appeared, a default decree of condemnation and forfeiture was entered, and the United States marshal was directed to destroy the product.

1986. Adulteration and misbranding of "E Z Bleach." U. S. v. 1,200 quart containers and 438 one-half gallon containers, more or less, of "E Z Bleach," Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2395. I. D. No. 12056.)

Examination of samples of "E Z Bleach" showed that it was a sodium hypochlorite solution and contained 19.43 percent less sodium hypochlorite than stated on the label.

On November 8, 1945, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,200 quart containers and 438 one-half gallon containers of "E Z Bleach," at Muscatine, Iowa, alleging that the product had been shipped in interstate commerce, on or about January 25, 1945, from Peoria, Ill., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The shipment was made by the Central City Pickle Co.

It was alleged that the product was adulterated in that its strength or purity fell below the proposed standard or quality under which it was sold, since it was labeled "Active Ingredients: Sodium Hypochlorite 5.25% by weight Inert Ingredients 94.75% by weight," while it contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

It was alleged that the product was misbranded in that the statement, "Active Ingredients: Sodium Hypochlorite 5.25% by weight Inert Ingredients 94.75% by weight," borne on the labels, was false and misleading and tended to deceive and mislead the purchaser, since the product contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

On December 28, 1945, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1987. Adulteration and misbranding of "33 Disinfectant Bleach Cleanser." U. S. v. 1,916 quart containers, more or less, of "33 Disinfectant Bleach Cleanser." Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2406. I. D. No. 13667.)

Examination of samples of "33 Disinfectant Bleach Cleanser" showed that it was a sodium hypochlorite solution, and contained 4.63 percent of sodium hypochlorite.

On May 20, 1946, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,916 quart containers of "33 Disinfectant Bleach Cleanser" at Lake Charles, La., alleging that the product had been shipped in interstate commerce, on or about September 8, 1945, by the Beacon Chemical Corp., from Dallas, Tex., and charging that the product was a misbranded and adulterated fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled, "Active Ingredient Sodium Hypochlorite 5.25% By Weight Inert Ingredients 94.75%," while it contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent of inert ingredients.

It was alleged that the product was misbranded in that the statements, "Active Ingredient Sodium Hypochlorite 5.25% By Weight Inert Ingredients 94.75%," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser, since the product contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent of inert ingredients.

On July 15, 1946, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1988. Misbranding of "Sanitair." U. S. v. 87 gallon containers, more or less, of "Sanitair." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2456. I. D. No. 14037.)

An analysis of "Sanitair" showed that it consisted of a pink emulsion containing water, formaldehyde, perfume, and fatty matter of the nature of soap.

On January 24, 1947, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 87 gallon containers, more or less, of "Sanitair" at Fort Wayne, Ind., alleging that the product had been shipped in interstate commerce on or about March 8, 1946, from Toledo, Ohio, and charging that the product was a misbranded fungicide within the meaning of the Insecticide Act of 1910. The shipment was made by the F & M Laboratories from Toledo, Ohio.

It was alleged that the product was misbranded in that it consisted partially of an inert substance (water), which did not prevent, destroy, repel, or mitigate fungi (bacteria), and did not have the name and percentage amount of such inert ingredient stated on the label, nor did the label bear a statement of the name and percentage amount of ingredients having fungicidal (bactericidal) properties and the total percentage of inert ingredients.

It was alleged that the product was further misbranded in that the statements, "Sanitair Antiseptic Deodorant Spray and Air Conditioner Endorsed for use in theatres, hotels, hospitals, public buildings, stores, offices, funeral parlors, factories, apartments, banks, churches, homes, phone booths, streetcars and busses, taxicabs, restaurants, night clubs, lodges—in fact wherever there is need of an effective deodorizer and air conditioner. Leaves a lasting, clean, refreshing odor. * * * Offices Spray small amount into air each morning. Theatres Use in ventilating systems or spray from balcony before performances. School Rooms Ordinarily spray class rooms each morning. To help prevent spreading of colds, spray in morning, recess, and noon hour. Ventilating Systems for ordinary conditions use one ounce for each gallon of water. Increase amount as needed. Basements, Dining Rooms, Clubs, Lockers, Recreation or Sick Rooms, Spray according to conditions. Close windows for short time after spraying where necessary. * * * Taxi Cabs Spray inside of cab thoroughly before placing in use. Cuspidors Add small amount to rinse water after cleaning. Then add one-half ounce to water in cuspidor for use. Telephones Using atomizer spray mouth-piece daily. Lavatories Spray toilets, urinals, and wash bowls thoroughly each day. Waste Receptacles Spray inside thoroughly after cleaning Air Conditioning Systems Place a few ounces in a shallow pan and set in air duct. Shower Rooms Spray walls and floors thoroughly," borne on the labels affixed to the containers in which the product was packed, were false and misleading and would serve to deceive and mislead prospective purchasers of said product, as the product when used as directed was not an antiseptic, would not kill bacteria or aid in the prevention of the spread of common colds or other infectious diseases in any of the places or on any of the articles or things listed, and could not be relied upon for protection against the spread of any diseases as is implied.

On March 7, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1989. Adulteration and misbranding of "E Z Bleach." U. S. v. 10,098 quart containers, more or less, of "E Z Bleach." Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2449. I. D. No. 14653.)

Examination of samples of "E Z Bleach" showed that it was a sodium hypochlorite solution and contained approximately 4.02 percent of sodium hypochlorite.

On November 29, 1946, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10,098 quart containers, more or less, of "E Z Bleach" at Lincoln, Nebr., alleging that the product had been shipped in interstate commerce, on or about September 21, 1945, from Chicago, Ill., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The shipment was made by the Commodity Credit Corp.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled "Active Ingredients: Sodium Hypochlorite 5.25% by weight; Inert Ingredients 94.75% by weight," while it contained less than 5.25 percent of sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

It was alleged that the product was misbranded in that the statements, (1) "Active Ingredients: Sodium Hypochlorite 5.25% by weight; Inert Ingredients 94.75% by weight," and (2) "Disinfects * * * As a Disinfectant: Thoroughly clean article. Immerse in a dilution containing 1 to 2 tablespoonfuls Bleach to each gallon of water. Leave article in solution 2 minutes for dairy utensils and at least 5 minutes for dishes or sick room utensils," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser, since it contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight, and one tablespoonful of said E Z Bleach to 1 gallon of water will not give a solution containing sufficient available chlorine to disinfect when used as directed on the label.

On January 10, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1990. Adulteration and misbranding of "Armstrong Pynolene." U. S. v. 55 gallons, more or less, of "Armstrong Pynolene." Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2447. I. D. No. 14660.)

An examination of the samples of "Armstrong Pynolene" disclosed that it consisted of soap, water, pine oil, and a small amount of sulphonated oil, water being present to the extent of 50.5 percent. Its phenol coefficient was 2.2.

On November 27, 1946, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 55 gallons, more or less, of "Armstrong Pynolene" at Lincoln, Nebr., alleging that the product had been shipped in interstate commerce on or about October 11, 1946, by the Oriole Chemical Corp. from Chicago, Ill., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that the statements, "Pine Oil Disinfectant * * * Coefficient 3. F. D. A.," borne on the labels affixed to the drums containing the product, purported and represented that its standard or quality was such that it possessed a phenol coefficient of not less than 3 by the F. D. A. method, and that the product was a pine oil disinfectant, whereas the strength or purity of the product fell below the professed standard or quality under which it was sold, as the product did not possess a phenol coefficient of 3 by the F. D. A. method, and water had been substituted in part for the pine oil disinfectant.

The product was alleged to be misbranded in that the old label affixed to the drum containing the product stated in part: "Pine Oil Disinfectant * * * Coefficient 3, F. D. A.," which statements were false and misleading and would serve to mislead and deceive the purchasers, as they claimed the product was pine oil disinfectant and possessed a phenol coefficient of 3 by the F. D. A. method, while the product was a mixture of pine oil disinfectant and water and did not have a phenol coefficient of 3 by the F. D. A. method.

The product was alleged to be further misbranded within the meaning of said act of Congress in that said product consisted partially of an inert substance (water), which would not prevent, destroy, repel, or mitigate fungi (bacteria), and the product did not have the name and the percentage amount of such inert ingredient stated on the label which was affixed to the drum in which the product was shipped, nor did said label bear a statement of the names and percentage amounts of each and every ingredient having fungicidal (bactericidal) properties, and the total percentage of inert ingredients.

On January 10, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1991. Adulteration and misbranding of "White-Lin Household Bleach." U. S. v. 310 gallon containers and 36-quart containers, more or less, of "White-Lin Household Bleach." Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2438. I. D. Nos. 13824, 13827.)

Examination of samples of "White-Lin Household Bleach" showed that it was a sodium hypochlorite solution and contained 4.37 percent of sodium hypochlorite.

On October 11, 1946, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 310 gallon containers and 36 quart containers, more or less, of "White-Lin Household Bleach," at Newburgh, N. Y., alleging that the product had been shipped in interstate commerce, on or about August 23, 1945, from Newark, N. J., by the White-Lin Chemical Co., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled "Active Ingredients Sodium Hypochlorite 5.25% by Wt.," "Inert Ingredients 94.75% by Wt.," whereas it contained less than 5.25 percent sodium hypochlorite by weight, and more than 94.75 percent inert ingredients by weight.

It was alleged that the product was misbranded in that the statements, "Active Ingredients Sodium Hypochlorite 5.25% by Wt.," "Inert Ingredients 94.75% by Wt.," and "* * * Disinfectant * * * Sick Room: Wash all bed pans, urinals, sputum cups and other utensils in a solution of three tablespoons of fluid to each quart of water. Rinse well," borne on the labels, were false and misleading and would serve to deceive and mislead the purchaser, since the product contained less than 5.25 percent sodium hypochlorite, by weight and more than

94.75 percent inert ingredients, by weight, and the product could not be depended upon to disinfect the articles listed when used according to directions on the label.

On January 9, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1992. Misbranding of "Leeds Sterra-Glo." U. S. v. 258 one-gallon containers, more or less, of "Leeds Sterra-Glo." Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2458. I. D. No. 14543.)

Examination of a sample of "Leeds Sterra-Glo" showed that it consisted of alkyl dimethyl benzyl ammonium chloride, a wetting agent, and water.

On March 5, 1947, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 258 one-gallon containers, more or less, of "Leeds Sterra-Glo," at Baltimore, Md., alleging that the product had been shipped in interstate commerce, on or about January 29, 1947, from Philadelphia, Pa., by the Rhodes Chemical Corp., and charging that the product was a misbranded fungicide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was misbranded in that the product consisted partially of inert substances which did not prevent, destroy, repel, or mitigate fungi (bacteria) and the labels affixed to the containers in which the product was packed did not have the name and percentage amount of each and every one of such ingredients stated on said labels nor did the labels bear a statement of the name and percentage amount of the ingredients having fungicidal (bactericidal) properties and the total percentage of inert ingredients.

The product was further alleged to be misbranded in that the statements—

"Leeds Sterra-Glo A Sterilizing Dish and Glass Washing Compound The Sterilizing Factor Incorporated in this Liquid is Brand of Benzalkonium Chloride (High Molecular alkyl-dimethyl-benzyl-ammonium chlorides) A well known Government and State approved Germicide for Terminal Disinfection A Cleanser and a Germicide Manufactured for Leeds Chemical Company Inc., Baltimore 1, Maryland * * * Sterra-Glo is * * * A Powerful Germicide * * * To receive the full benefits of Sterra-Glo use one ounce to each gallon of warm water. This will develop 200 per millions of available quaternary ammonium compound which will meet all City, State and Government sterilization requirements for all types of public eating places. Place the Sterra-Glo in the bottom of pan or tank first, then fill basin with hot water, using as much pressure from the faucet as possible to insure complete dissolving of the liquid. This will also create an abundance of suds and avoid waste. Wash dishes, glasses and silver in the usual way, no rinsing required, and allow to drain. Dishes and glasses washed in this manner will require no toweling and will dry with a high luster, and a very low bacteria count,"

borne on the labels affixed to the containers in which said product was packed, were false and misleading and would serve to deceive and mislead the purchaser in that said statements purported and represented that the product was a sterilizing agent, would sterilize or disinfect dishes or glassware when used as directed, contained a sterilizing agent, was a well-known Government- and State-approved germicide for terminal disinfection and was a powerful germicide, and that 1 ounce of said product to each gallon of water would produce a solution meeting all City, State, and Government sterilization requirements for all types of public eating places as was claimed, whereas the product was not a sterilizing agent, would not sterilize or disinfect dishes or glassware when used as directed, did not contain a sterilizing agent, was not a well-known Government- and State-approved germicide for terminal disinfection and was not a powerful germicide, and 1 ounce of said product to each gallon of water would not produce a solution meeting all City, State, and Government sterilization requirements for all types of public eating places as was claimed.

On April 9, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1993. Adulteration and misbranding of "Rainbow Super-Refined Bleach." U. S. v. 1494 one-half gallon containers, more or less, of "Rainbow Super-Refined Bleach." Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2432. I. D. No. 14113.)

Examination of samples of "Rainbow Super-Refined Bleach" showed that it was a sodium hypochlorite solution and contained 3.94 percent of sodium hypochlorite.

The United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,494 one-half gallon containers, more or less, of "Rainbow Super-Refined Bleach" at Pascagoula, Miss., alleging that the product had been shipped in interstate commerce, on or about October 2, 1945, from Lodi, N. J., by the Rainbow Chemical Corp., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled "Active Ingredient, Sodium Hypochlorite 5.25% by Wt. Inert Ingredients 94.75% by Wt.," whereas it contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

It was alleged that the product was misbranded in that the statements, "Active Ingredient, Sodium Hypochlorite 5.25% by Wt." and "Inert ingredients 94.75% by Wt.," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser, since the product contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

On February 20, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1994. Adulteration and misbranding of "Progress Disinfecting Sure-Klean." U. S. v. 588 quart containers, more or less, of "Progress Disinfecting Sure-Klean." Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2434. I. D. No. 14114.)

Examination of samples of "Progress Disinfecting Sure-Klean" showed that it was a sodium hypochlorite solution and contained 3.82 percent sodium hypochlorite.

The United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 588 quart containers, more or less, of "Progress Disinfecting Sure-Klean" at Pascagoula, Miss., alleging that the product had been shipped in interstate commerce, on or about December 27, 1945, and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910. The product was shipped by F. Uddo & Sons, from New Orleans, La.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled "Active Ingredient—Sodium Hypochlorite 5% by Wt. When Packed, Inert Ingredients—95% by Wt.," whereas it contained less than 5 percent sodium hypochlorite by weight, and more than 95 percent inert ingredients.

It was alleged that the product was misbranded in that statements, "Active Ingredient—Sodium Hypochlorite 5% by Wt. When Packed" and "Inert Ingredients—95% by Wt.," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser, since the product contained less than 5 percent sodium hypochlorite by weight, and more than 95 percent inert ingredients.

On February 19, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1995. Adulteration and misbranding of "Dixie 'G-D' Phenol—3—." U. S. v. Dixie Disinfecting Co. Plea of guilty. Fine \$100. (I. & F. 2402. I. D. No. 12004.)

An examination of a sample of "Dixie 'G-D' Phenol—3—" showed that the product consisted of 76.3 percent water, and active ingredients consisting of soap, pine oil, phenolic bodies, and isopropyl alcohol in the amount of 23.7 percent.

The United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Dixie Disinfecting Co., alleging shipment in interstate commerce on or about March 31, 1945, from Dallas, Tex., to Columbus, Kans., of a quantity of "Dixie 'G-D' Phenol—3—," and charging that it was a misbranded and adulterated fungicide within the meaning of the Insecticide Act of 1910.

In count one, the product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the product was labeled "Dixie 'G-D' Phenol—3—" and "Inert Matter Less Than 50% Water," whereas said product did not consist of phenol and said product contained more than 50 percent water.

In count two, said product was alleged to be misbranded in that the statements, (1) "Dixie 'G-D' Phenol—3—," (2) "Inert Matter Less Than 50% Water," and (3) "Germ-Destroyer," borne on the label, were false and misleading and served to deceive and mislead purchasers, as the product did not consist of phenol, contained more than 50 percent water, and did not destroy all types of germs.

On July 25, 1946, the defendant entered a plea of guilty, and the court imposed a fine of \$100.

1996. Adulteration and misbranding of "Addé Pet Powder." U. S. v. 4,818 2-oz. packages of "Addé Pet Powder." Default decree of condemnation and forfeiture. (I. & F. No. 2479. I. D. No. 15643.)

An examination of a sample of "Addé Pet Powder" showed that the product consisted of organic matter of the nature of sawdust, a small amount of mineral oil, and 0.61 percent of dichloro diphenyl trichloroethane.

On September 9, 1947, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4,818 2-ounce packages, more or less, of "Addé Pet Powder" at Baltimore, Md., alleging that the product was shipped in interstate commerce on or about January 21, 1947, from Washington, D. C., and charging that it was a misbranded and adulterated insecticide within the meaning of the Insecticide Act of 1910. The product was shipped by the Farm and Home Products Co.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the statements, "Active ingredients Dichloro-diphenyl-trichloroethane 10%, Inert Ingredients 90%, Total 100%," borne on the labels affixed to the product, purported that the product contained not less than 10 percent dichloro diphenyl trichloroethane and more than 90 percent inert ingredients, while said product contained less than 10 percent dichloro diphenyl trichloroethane and more than 90 percent inert ingredients. Said product was alleged to be misbranded within the meaning of the Insecticide Act of 1910 in that the statements, "Active Ingredients 10%, Inert Ingredients 90%, Total 100% * * * Contains 10% DDT," "Contents 2 oz.," and "Addé Pet Powder Kills * * * Ticks. Only a small amount is needed to insure good results. * * * Directions—Apply lightly, rubbing well into the hair. Dust sleeping quarters and runways," borne on the labels affixed to the packages in which said product was packed were false and misleading and would serve to mislead and deceive purchasers since the said product did not contain 10 percent dichloro diphenyl trichloroethane (DDT), did contain more than 90 percent inert ingredients, the net contents of said packages was less than 2 ounces, and the product when used as directed would not kill ticks.

On November 13, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

1997. Adulteration and misbranding of "Imperial DDT and Pyrethrum Powder." Adulteration and misbranding of "Doo-Al Fly Spray." U. S. v. Imperial Chemical Co., a corporation. Plea of guilty. Fine \$25 on each of four counts, or a total of \$100, and costs. (I. & F. No. 2413. I. D. Nos. 12068, 12070.)

An examination of a sample of "Imperial DDT and Pyrethrum Powder" showed that it contained 7.54 percent DDT (dichloro diphenyl trichloroethane), 0.05 percent pyrethrins, and prophyllite.

An examination of a sample of "Doo-Al Fly Spray" showed that the product contained 1.74 percent of DDT (dichloro diphenyl trichloroethane), 2.15 percent of an organic thiocyanate, mineral oil, and perfume.

On September 5, 1946, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Imperial Chemical Co., a corporation, alleging shipment in interstate commerce on or about September 22, 1945, from Shenandoah, Iowa, to Omaha, Nebr., of quantities of two products known as "Imperial DDT and Pyrethrum Powder" and "Doo-Al Fly Spray" which were deemed to have been adulterated and misbranded insecticides within the meaning of the Insecticide Act of 1910.

In count one, the product "Imperial DDT and Pyrethrum Powder" was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the product was labeled in part,

"Active Ingredients:

DDT (Dichloro Diphenyl Trichloroethane)-----	10.00%
Pyrethrins-----	.05%
Inert Ingredients-----	89.95%,"

whereas said product contained less than 10 percent DDT (dichloro diphenyl trichloroethane) and more than 89.95 percent inert ingredients.

In count two, said product was alleged to be misbranded in that the statements,

(1) "DDT and Pyrethrum Powder" and

(2) "Active Ingredients:

DDT (Dichloro Diphenyl Trichloroethane)-----	10.00%
Pyrethrins-----	.05%
Inert Ingredients-----	89.95%,"

were false and misleading and served to deceive and mislead purchasers, since said product was not a mixture of DDT and pyrethrum powder and did not contain 10 percent dichloro diphenyl trichloroethane (DDT) and did contain more than 89.95 percent inert ingredients.

In count three, the product "Doo-Al Fly Spray" was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the product was labeled in part,

"Contains 5% DDT" and

"Dichloro Diphenyl Trichloroethane-----	5%
Lethane Special 384-----	7%
Base Oil-----	88%,"

whereas said product did not contain 5 percent dichloro diphenyl trichloroethane (DDT), and did not contain 7 percent Lethane Special 384.

In count four, said product was alleged to be misbranded in that the labels stated,

(1) "Contains 5% DDT" and

"Dichloro Diphenyl Trichloroethane-----	5%
Lethane Special 384-----	7%
Base Oil-----	88%

(2) "Doo-Al Fly Spray * * * Farm Uses: As an aid in killing flies,
* * * on horses, cattle and hogs. Keep doors and win-
dows closed. Spray freely on horses, cattle and hogs. Also
in stables, cattle barns. * * * Repeat as often as neces-
sary. Outdoors: Camping, fishing, hunting. Spray Clothing
and surroundings. Repels flies,"

which said statements were false and misleading and served to deceive and mislead purchasers in that said product contained less than 5 percent dichloro diphenyl trichloroethane (DDT) and less than 7 percent Lethane Special 384, and the product when used as directed in addition to being unsafe for use on horses, cattle, and hogs, would not be an aid in killing all flies on such animals, nor would it repel all kinds of flies outdoors.

On October 1, 1946, the defendant entered a plea of guilty, and the court imposed a fine of \$25 on each of four counts, or a total of \$100, and assessed costs in the sum of \$25.

1998. Adulteration and misbranding of "33 Disinfectant Bleach Cleanser." U. S. v. 3,522 quart bottles, more or less, of "33 Disinfectant Bleach Cleanser." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2465. I. D. No. 15705.)

An analysis of "33 Disinfectant Bleach Cleanser" showed that it contained 3.70 percent sodium hypochlorite or 29.52 percent less sodium hypochlorite than was claimed on the label affixed to the product.

On May 2, 1947, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 3,522 quart bottles, more or less, of "33 Disinfectant Bleach Cleanser" at Texarkana, Ark., alleging that the product had been shipped in interstate commerce on or about June 28, 1946, by the Beacon Chemical Corp. from Dallas, Tex., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the labels affixed to the bottles containing the product stated "Active Ingredient Sodium

Hypochlorite 5.25% by weight" and "Inert ingredients 94.75%," whereas said product contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients.

The product was alleged to be misbranded in that the statements "Active Ingredient Sodium Hypochlorite 5.25% by weight Inert Ingredients 94.75%," borne on the labels affixed to the containers of the product, were false and misleading and tended to deceive and mislead the purchaser, since the product contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients.

On July 11, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and the United States marshal was ordered to destroy the product.

1999. Adulteration and misbranding of "Addé Kilursect." U. S. v. 4,037 two-ounce packages of "Addé Kilursect." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2481. I. D. No. 15661.)

An examination of a sample of "Addé Kilursect" showed that it consisted of an organic material of the nature of sawdust, rose-colored dye, and 4.40 percent of dichloro diphenyl trichloroethane (DDT).

On October 6, 1947, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4,037 2-ounce packages of "Addé Kilursect" at Baltimore, Md., alleging that the product had been shipped in interstate commerce on or about January 21, 1947, by the Farm and Home Products Co. from Washington, D. C., and charging that the product was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the statements "Active Ingredients: Dichloro-diphenyl-trichloroethane (DDT) 10%, Inert Ingredients 90%, 100%," borne on the labels affixed to the packages in which said product was packed, purported and represented that said product contained not less than 10 percent dichloro diphenyl trichloroethane (DDT) and not more than 90 percent inert ingredients, whereas said product contained less than 10 percent dichloro diphenyl trichloroethane and more than 90 percent inert ingredients.

The product was alleged to be misbranded in that the statements, "Active Ingredients: Dichloro-diphenyl-trichloroethane (DDT) 10%, Inert Ingredients 90%, 100%," and "Addé Kilursect Insect Powder kills roaches, ants, moths, silverfish, bedbugs, waterbugs, and many other insects" and

"DIRECTIONS

"Roaches: Dust Kilursect into cracks and crevices or wherever roaches hide. Also dust Kilursect on floors and other places where roaches run. Repeat as necessary.

"Ants: Dust into cracks, crevices, on window sills, lawns, and wherever ants are seen. As ants generally travel along regular routes, these paths should be dusted with Kilursect.

"Bedbugs: Dust Kilursect thoroughly in and under slats, in all joints, corners, cracks, and crevices of bedsteads, and at other infested places. Also mattresses, baseboards, and wall cracks.

"Fleas: Kilursect is very effective in killing fleas in rat burrows, in basements, in houses, on bare ground under buildings and in lawns. If used directly on dogs, about 1 tablespoonful of the 10 percent powder to an average-size dog is dusted thoroughly in the hair along the back from the head to the tail.

"Moths: Sprinkle liberally on carpets, clothing, furs, woollens before storing. Easily removed by brushing.

"Kilursect: kills on contact, but not instantaneously—the insects may crawl away to die. The killing power of Kilursect after being applied continues for a long time—in some instances for several months,

"Contents 2 oz.,"

borne on the labels affixed to the packages in which the product was packed, were false and misleading and served to deceive and mislead purchasers in that said product contained less than 10 percent dichloro diphenyl trichloroethane and more than 90 percent inert ingredients; that the product when used as directed could not be relied upon to control the various insects named on the label and that the net contents of said packages was less than 2 ounces.

On November 13, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2000. Adulteration and misbranding of "Ocean Spray Insecticide." U. S. v. 669 pint bottles and 393 quart bottles, more or less, of "Ocean Spray Insecticide." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2463. I. D. No. 15704.)

An analysis of "Ocean Spray Insecticide" showed that it consisted of mineral oil, organic thiocyanates, and 3.74 percent of dichloro diphenyl trichloroethane.

On April 25, 1947, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 669 pint bottles and 393 quart bottles, more or less, of "Ocean Spray Insecticide," alleging that the product had been shipped in interstate commerce on or about April 20, 23, 25, and 26, 1946, by the Ocean Coffee Co., Inc, from Shreveport, La., to DeQueen, Ark., and charging that the product was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the labels affixed to the bottles containing the product stated in part "Contains 5% D. D. T.," whereas said product contained less than 5 percent dichloro diphenyl trichloroethane.

The product was alleged to be misbranded in that the statements, (1) "Contains 5% D. D. T.," (2) "To Kill * * * Fleas. Clothing to be stored should be cleaned and aired and sprayed carefully from a distance of one or two feet, taking care to see that seams and folds are wetted. Chests in which woollens are to be stored should be thoroughly sprayed before being filled with clothes. Closets should be sprayed liberally at least twice a month, directing the spray on the garments," and (3) "To Kill Roaches, Water Bugs and Silverfish * * * to Kill Ants * * *," borne on the labels affixed to the bottles in which said product was packed, were false and misleading and would serve to deceive and mislead prospective purchasers of the product in that said statements purported and represented that the product contained not less than 5 percent dichloro diphenyl trichloroethane; that the product when used as directed would kill fleas, and that said product could be depended upon as a control for roaches, water bugs, silverfish, and ants, whereas said product contained less than 5 percent dichloro diphenyl trichloroethane; when used as directed it would not kill fleas, and the product could not be depended upon as a control for roaches, water bugs, silverfish, and ants unless repeatedly used.

On July 11, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and the United States marshal was ordered to destroy the product.

2001. Misbranding of "Ced-O-Bag, Real Cedar Chips With Extra Odor." U. S. v. 440 bags, more or less, of "Ced-O-Bag, Real Cedar Chips With Extra Odor." Decree of condemnation, forfeiture, and destruction. (I. & F. No. 2452. I. D. No. 14026.)

An examination of "Ced-O-Bag, Real Cedar Chips With Extra Odor" showed that the product consisted of red cedar chips with 3.1 percent cedar oil.

On December 11, 1946, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 440 bags, more or less, of "Ced-O-Bag, Real Cedar Chips With Extra Odor," at Sioux Falls, S. Dak., alleging that the product had been shipped in interstate commerce on or about October 1945 by the Mon-Bolt Manufacturing Co. from Knoxville, Tenn., and charging that the product was a misbranded insecticide within the meaning of the Insecticide Act of 1910.

The article was alleged to be misbranded in that it consisted partially of inert substances (substances other than cedar oil), which did not prevent, destroy, repel, or mitigate insects and the label affixed to the bags containing the product did not have the name and percentage amount of each and everyone of such inert ingredients stated on the label, nor did the label bear a statement of the name and percentage amount of the ingredient having insecticidal properties and the total percentage of inert ingredients.

The article was alleged to be further misbranded within the meaning of said act of Congress in that the labels affixed to the bags containing said product stated in part "Ced-O-Bag, Real Cedar Chips With Extra Odor * * * Moth Repellent, Flea Repellent (Keep In Dog Bed. Dogs Like Cedar Odor)," which said statement was false and misleading and would serve to deceive and mislead

prospective purchasers of said product, as said statement purported and represented that said product when used as directed was a moth repellent and a flea repellent, whereas said product was neither a moth repellent nor a flea repellent when used as directed.

On January 14, 1947, no claimant having appeared, a default decree of condemnation was entered, and it was ordered that the United States marshal dispose of said article by taking it to the garbage disposal grounds at Sioux Falls, S. Dak., and there burying it.

2002. Adulteration and misbranding of "Roman Cleanser." U. S. v. 447 one-half gallon bottles, more or less, of "Roman Cleanser." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2467. I. D. No. 15804.)

Examination of samples of "Roman Cleanser" showed that this product was a sodium hypochlorite solution and contained 3.40 percent of sodium hypochlorite.

On June 5, 1947, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 447 one-half gallon bottles, more or less, of "Roman Cleanser" at La Porte, Ind., alleging that the product had been shipped in interstate commerce, on or about October 23, 1946, from Detroit, Mich., by the Roman Cleanser Co., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled "Ingredients: Active, Sodium Hypochlorite 5.25%, Inert, 94.75%," whereas, it contained less than 5.25 percent sodium hypochlorite and more than 94.75 percent inert ingredients.

It was alleged that the product was misbranded in that the statements, "Ingredients: Active, Sodium Hypochlorite 5.25%; Inert, 94.75%" and "Disinfecting Solution of 500 parts per million available chlorine is made by adding 1 part Roman Cleanser to 99 parts water—approx. $\frac{1}{2}$ cup to 3 gallons. (Other dilutions proportionate.) Before disinfecting, articles must be thoroughly cleansed. Immerse several minutes. For spraying, use 1,000 parts per million solution," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser, since the product contained less than 5.25 percent sodium hypochlorite and more than 94.75 percent inert ingredients, and one part of said product added to 99 parts of water would not give a disinfectant containing 500 parts per million of available chlorine.

On July 21, 1947, no claimant having appeared, a decree of condemnation and forfeiture, was entered, and it was ordered that the product be destroyed.

2003. Adulteration and misbranding of "Old Nick's Seed Treatment." U. S. v. 1,586 pint containers, more or less, of "Old Nick's Seed Treatment." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2471. I. D. No. 15842.)

Examination of samples of "Old Nick's Seed Treatment" showed that it was a coal tar oil, containing tarry matter, carbonlike material, and a small amount of phenols.

On July 15, 1947, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,586 pint containers, more or less, of "Old Nick's Seed Treatment" at Huron, S. Dak., alleging that the product had been shipped in interstate commerce, on or about October 6, 1945, from Rockport, Mo., by the Old Nick Seed Treatment Co., and charging that the product was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled, "Active Ingredients Cresols 3.05%, hydrocarbonic oils, not more than 95%, inert materials not more than 2½%," whereas, the product contained less than 3.05 percent cresols.

It was alleged that the product was misbranded in that the statements, (1) "Active Ingredients Cresols 3.05%, hydrocarbonic oils, not more than 95%, inert materials not more than 2½%" and (2) "Old Nick's Seed Treatment * * * helps protect corn from * * * heartbugs, wire worms, * * * or any pest that attacks seed in the ground. * * * Results guaranteed. * * * Directions One tablespoonful to one and one-half gallons of corn mixed in planter box. Mix thoroughly. Do not mix and allow to dry," borne on the

labels, were false and misleading and tended to deceive and mislead the purchaser, since the product contained less than 3.05 percent cresols and said product when used as directed would not help protect corn from heartbugs, wire worms, and all other pests that attack seed in the ground.

On August 26, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2004. Adulteration and misbranding of "Pine Oil Disinfectant." U. S. v. Sanco Products Co., Inc. Plea of guilty. Fine \$100. (I. & F. No. 2408. I. D. Nos. 11745, 12016.)

An examination of two samples of "Pine Oil Disinfectant" showed that the samples contained 46.4 percent water and 39.6 percent water, respectively.

On August 6, 1946, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Sanco Products Co., Inc., a corporation, alleging shipment in interstate commerce on or about November 29, 1945, and August 17, 1945, from Greenville, Ohio, to Washington, Ind., and Marshall, Ill., of a quantity of a product known as "Pine Oil Disinfectant," which was deemed to have been an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

In count one, the product was alleged to be adulterated in that water had been substituted in part for the "Pine Oil Disinfectant." In count two, the product was alleged to be misbranded in that the labels stated (1) "Pine Oil Disinfectant," and (2) "Inert Matter Not To Exceed 15% Water," whereas said product was a mixture of Pine Oil Disinfectant and water, and water was present in excess of 15 percent.

In count three, the product was alleged to be adulterated in that water had been substituted in part for the Pine Oil Disinfectant.

In count four, said product was alleged to be misbranded in that the labels stated (1) "Pine Oil Disinfectant" and (2) "Inert Matter Not To Exceed 15% Water," whereas said product was a mixture of Pine Oil Disinfectant and water, and water was present in excess of 15 percent.

On August 15, 1946, the defendant entered a plea of guilty to all four counts and a fine of \$25 was assessed on each count, making a total of \$100.

2005. Adulteration and misbranding of "Addé Kilursect Insecticide Powder." U. S. v. 4,734 six-ounce packages of "Addé Kilursect Insecticide Powder." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2478. I. D. No. 15641.)

An examination of "Addé Kilursect Insecticide Powder" showed that it consisted of an organic material of the nature of sawdust, rose-colored dye, a small amount of oil, and 5.47 percent of dichloro diphenyl trichloroethane.

On September 10, 1947, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4,734 six-ounce packages, more or less, of "Addé Kilursect Insecticide Powder" at Baltimore, Md., alleging that the product had been shipped in interstate commerce on or about December 9, 1946, and January 2, 1947, from Washington, D. C., and charging that it was a misbranded and adulterated insecticide within the meaning of the Insecticide Act of 1910. The product was shipped by the Farm and Home Products Co.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as its label stated "Active ingredients: Dichloro-diphenyl-trichloroethane (DDT) 10%, Inert Ingredients 90%," whereas the product contained less than 10 percent dichloro diphenyl trichloroethane (DDT) and more than 90 percent inert ingredients.

Said product was alleged to be misbranded in that the statements, "Active ingredients: Dichloro-diphenyl-trichloroethane (DDT) 10%, Inert Ingredients 90," borne on the labels affixed to the product, were false and misleading and served to deceive and mislead purchasers, since the said product did not contain 10 percent dichloro diphenyl trichloroethane (DDT) and contained more than 90 percent inert ingredients.

On November 13, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2006. Adulteration and misbranding of "Addé Wafer-Cide Contains 15% DDT." U. S. v. 4,317 packages of "Addé Wafer-Cide Contains 15% DDT." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2482. I. D. No. 15644.)

An examination of a sample of "Addé Wafer-Cide" showed that it consisted of flat disks of asbestoslike fibrous material colored with a lavender dye material and containing 5.14 percent dichloro diphenyl trichloroethane.

On October 3, 1947, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4,317 packages of "Addé Wafer-Cide Contains 15% DDT" at Baltimore, Md., alleging that the product had been shipped in interstate commerce on or about February 5, 1947, and February 12, 1947, by the Farm and Home Products Co. from Washington, D. C., and charging that the product was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the labels affixed to the containers in which the product was packed stated "Active Ingredients: Dichloro-diphenyl-trichloroethane (DDT) 15%; Inert Ingredients: 85%," whereas said product contained less than 15 percent dichloro diphenyl trichloroethane and more than 85-percent inert ingredients.

The product was alleged to be misbranded in that the statements, (1) "Active Ingredients: Dichloro-diphenyl-trichloroethane (DDT) 15%; Inert Ingredients: 85%" and "lures and kills roaches, flies, ants, mosquitoes, and silverfish," borne on the labels affixed to the containers in which said product was packed, were false and misleading and served to deceive and mislead the purchasers, as said product contained less than 15 percent dichloro diphenyl trichloroethane (DDT) and more than 85 percent inert ingredients, and the product when used as directed would not lure the insects specified in the label and would not kill roaches, ants, mosquitoes, and silverfish.

On November 13, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2007. Misbranding of "Addé Hygienic Cleaning Powder." U. S. v. 4,926 three-ounce packages of "Addé Hygienic Cleaning Powder." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2480. I. D. No. 15642.)

An examination of samples of "Addé Hygienic Cleaning Powder" showed that it consisted of organic matter of the nature of sawdust, a small amount of mineral oil, and 0.81 percent of dichloro diphenyl trichloroethane.

On September 9, 1947, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4,926 three-ounce packages of "Addé Hygienic Cleaning Powder" at Baltimore, Md., alleging that the product had been shipped in interstate commerce on or about January 22, 1947, from Washington, D. C. The product was shipped by the Farm and Home Products Co. and was a misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be misbranded in that it consisted partially of an inert substance (sawdust) which did not prevent, destroy, repel, or mitigate insects, and did not have the name and percentage amount of such inert ingredient stated on the label, nor did the label bear a statement of the names and percentage amounts of each and every ingredient having insecticidal properties and the total percentage of inert ingredients.

The product was further alleged to be misbranded in that the statement, "Contents 3 ounces," borne on the labels affixed to the containers in which said product was packed, was false and misleading and would serve to deceive and mislead purchasers, as the net contents of said packages was less than 3 ounces.

On November 13, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2008. Adulteration and misbranding of "Addé Rug-Life." U. S. v. 5,274 eight ounce packages of "Addé Rug-Life." Default decree of condemnation, destruction, and forfeiture. (I. & F. No. 2477. I. D. No. 15640.)

An examination of a sample of "Addé Rug-Life" showed that it consisted of an organic material of the nature of sawdust, small amounts of perfume and oil, and 2.28 percent of dichloro diphenyl trichloroethane.

On September 10, 1947, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 5,274 eight-ounce packages, more or less, of "Addé Rug-Life" at Baltimore, Md., alleging that the product had been shipped in interstate commerce on January 31, 1947, from Washington, D. C., and charging that the product was a misbranded and adulterated insecticide within the meaning of the Insecticide Act of 1910. The product was shipped by the Farm and Home Products Co.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as its label stated: "Active ingredients: Dichloro-diphenyl-trichloroethane (DDT) 5%, Cleansing Agents 95%," whereas said product contained less than 5 percent dichloro diphenyl trichloroethane (DDT) and more than 95 percent cleansing agents.

Said product was alleged to be misbranded in that the statements: "Active ingredients: Dichloro-diphenyl-trichloroethane (DDT) 5%, Cleansing Agents 95% * * * with 5% DDT," "Net weight when packed—8 ounces," and "Addé Rug-Life with 5% D.D.T. * * * For * * * Moth Proofing Rugs and Carpets * * * kills moths, carpet beetles, silverfish, and other insects. Rug-Life is the only product on market that moth-proofs and cleans at the same time. Can be entirely spread on rug or carpet and then removed. Does not have to remain on rug for hour or overnight. It does not evaporate or lose its qualities on exposure to air. One eight-ounce can of Rug-Life should last six months, on monthly applications on a 9 x 12 rug. * * * If put on floor under rug will moth-proof the rug or carpet. If put on rug and stored will keep it moth-proof. Can be removed from rug either by carpet sweeper, broom or vacuum cleaner. * * * Directions for Using Rug-Life Sprinkle light film of powder over entire rug or carpet. Scrub in with bristle brush. Brush out with broom, carpet sweeper or vacuum cleaner," borne on the labels affixed to the packages in which said product was packed, were false and misleading and would serve to deceive and mislead purchasers of said product, in that said product did not contain 5 percent dichloro diphenyl trichloroethane (DDT), the remainder of the product should have been listed in inert ingredients, the net contents of the packages in which said product was packed was less than 8 ounces, and the product when used as directed would not kill all insects other than those specified and would not mothproof rugs and carpets.

On November 13, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2009. Adulteration and misbranding of "Pinelo." Adulteration and misbranding of "Costello Slayzm Residual Insect Spray or Paint." U. S. v. J. S. Costello & Son Brush Co., a corporation. Plea of nolo contendere. Fine \$25 on each of four counts, or a total of \$100. (I. & F. No. 2411. I. D. Nos. 12142, 12135.)

An examination of a sample of "Pinelo" showed that it contained water in the amount of 73.35 percent.

An examination of a sample of "Slayzm Residual Insect Spray or Paint" showed that it consisted of mineral oil containing 1.32 percent of dichloro diphenyl trichloroethane.

On January 16, 1947, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against J. S. Costello & Son Brush Co., a corporation, alleging shipment in interstate commerce on or about December 18, 1945, and December 27, 1945, from St. Louis, Mo., to Grafton, Ill., and East St. Louis, Ill., of quantities of two products known as "Pinelo" and "Costello Slayzm Residual Insect Spray or Paint," charging that the "Pinelo" was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910 and the "Costello Slayzm Residual Insect Spray or Paint" was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

In count one, the product "Pinelo" was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the product was labeled "Inactive Ingredients, Water 10%," whereas, said product contained more than 10 percent water. The product was further alleged to be adulterated in that another substance, water, had been substituted in part for the pine oil disinfectant.

In count two, the said product was alleged to be misbranded in that the labels stated (1) "Pine Oil Disinfectant" and (2) "Inactive Ingredients, Water 10%," which said statements were false and misleading and would serve to deceive and mislead purchasers of said product, in that said product was a mixture of a pine oil disinfectant and water, and water was present in excess of 10 percent.

In count three, "Costello Slayzm Residual Insect Spray or Paint" was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as said product was labeled "5% DDT," whereas said product contained less than 5 percent DDT (dichloro diphenyl trichloroethane).

In count four, said product was alleged to be misbranded in that the labels stated in part:

(1) "5% DDT" and (2) "Slayzm Residual Insect Spray or Paint * * * Kills Roaches, Flies, Ants, Mosquitoes, Waterbugs, Silverfish, Bed Bugs, Gnats, Fleas and Other Common Insects Surfaces treated with Slayzm will repel and kill insects contacting treated area up to 60 days or more * * * Apply to area to be treated by painting with brush, thoroughly wet surface, or spray with sprayer in form of heavy wet mist. Use at rate of about one quart to 250 square feet of surface. Do not spray into air as fine mist * * * Fleas etc. When there is no objection to crystalline residual deposit left by Slayzm, apply to all surface areas where these insects commonly rest and are seen, walls, ceilings, lighting fixtures, door and window frames and screens. To aid in prevention of breeding, spray on standing water and garbage pails. Repeat treatment as necessary * * * Roaches, Waterbugs, Ants, etc. Spray liberally around refrigerators, sinks, cabinets and food processing equipment, underside of tables, shelving, cracks and crevices around baseboards, moulding and other woodwork, hitting as many insects as possible. Apply also around pipe openings in walls, floors and ceilings. Repeat as necessary. Kill is certain in from 1 to 4 hours," which said statements were false and misleading and served to deceive and mislead purchasers in that said product did not contain 5 percent DDT (dichloro diphenyl trichloroethane) and the product, when used as directed, was not a residual spray or paint, would not repel the insects named, and would not kill them on treated areas up to 60 days or more, would not kill fleas and all insects represented by the term "etc.," and would not kill roaches, waterbugs, ants, and all insects included in the term "etc." in from 1 to 4 hours.

On January 31, 1947, the defendant entered a plea of nolo contendere and the court imposed a fine of \$25 on each of four counts, or a total of \$100.

2010. Adulteration and misbranding of "Marshall's Triple Action Roach Powder." Misbranding of "Marshall's Insect Spray." U. S. v. Bernard Marshall, an individual, and Marshall Sanitary Products Corp., a corporation. Action dismissed as to Bernard Marshall, individually. Plea of guilty as to Marshall Sanitary Products Corp. Fine of \$200, and costs. (I. & F. No. 2397. I. D. Nos. 9374, 9444.)

An examination of a sample of "Marshall's Triple Action Roach Powder" showed that it contained 1.53 percent borax, pyrethrum powder that apparently had lost much of its active constituents, and flour.

An examination of a sample of "Marshall's Insect Spray" showed that it consisted of a mineral oil, an organic thiocyanate, and a small amount of perfume.

On February 11, 1946, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Bernard Marshall, an individual, and Marshall Sanitary Products Corp., a corporation, alleging shipment in interstate commerce, on or about August 20, 1943, and December 20, 1943, of quantities of products known as "Marshall's Triple Action Roach Powder" and "Marshall's Insect Spray" from Chicago, Ill., to Racine, Wis. The product "Marshall's Triple Action Roach Powder" was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910 and "Marshall's Insect Spray" was a misbranded insecticide within the meaning of said act.

In count one, the product "Marshall's Triple Action Roach Powder" was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since the label stated in part. "Borax 30%," whereas said product did not contain 30 percent borax.

In count two, said product was alleged to be misbranded in that the statement "Borax 30%" borne on the labels, was false and misleading and served to deceive and mislead the purchasers, as said product contained less than 30 percent borax. The product was further alleged to be misbranded in said count in that the statements,

(1) "Marshall's Triple Action Roach Powder Kills Roaches—Waterbugs—Silverbugs * * * Directions * * *

For Roaches, Silver Bugs, Water Bugs * * *: Inject the powder into cracks and crevices of walls and all woodwork behind which the insects are concealed and hatched. Also sprinkle on pantry shelves and around pipes and sink. In boiler rooms and laundries, sprinkle freely against the walls and allow it to lay for several days. Quick results are obtained when the directions are followed" and (2) "16 Ounces When Packed,"

borne on the labels, were false and misleading and served to deceive and mislead purchasers in that said product when used as directed would not control roaches, silver bugs, and water bugs, and would not give triple action and quick results, and the net weight of said product was less than 16 ounces.

In count three, the product was alleged to be misbranded in that the product consisted partially of inert substances (substances other than borax and pyrethrins) which did not prevent, destroy, repel, or mitigate insects, and the product did not have the names and percentage amounts of each and every one of such inert ingredients stated on the label, nor did the label bear a statement of the names and percentage amounts of each and every ingredient having insecticidal properties and the total percentage of inert ingredients present.

In count four, the product "Marshall's Insect Spray" was alleged to be misbranded in that the labels stated in part,

(1) "Marshall's Insect Spray * * * Kills * * * Roaches, Water Bugs * * * Spray freely into all cracks and crevices and other hiding places and whenever possible spray directly onto the insects" and (2) "Non-Poisonous,"

which said statements were false and misleading and served to deceive and mislead purchasers, as said product would not kill roaches and water bugs when used as directed and said product was not nonpoisonous, but was in fact definitely poisonous.

On December 4, 1946, the case was dismissed as to the defendant Bernard Marshall. A plea of guilty was entered as to the defendant Marshall Sanitary Products Corporation, and the court imposed a fine of \$200 and costs.

2011. Adulteration and misbranding of "Super Pyro-Cuper, Cuper-Dust, Killer-Cuper, Irish Potato Spray, and New Pyro-Cuper." U. S. v. Ole A. Flaata and Lawrence A. Brown, individuals, doing business as copartners under the style and trade name of Flaata Farm Supply Co. Plea of nolo contendere. Fine \$770, plus \$37 costs. (I. & F. No. 2386. I. D. Nos. 9320, 9321, 9322, 9489, 9491.)

An examination of samples of "Super Pyro-Cuper" showed that it consisted of siliceous material, with cuprous oxide, mineral oil, and pyrethrins. The examination also showed that the product contained 3.1 percent and 2.8 percent of cuprous oxide.

An examination of a sample of "Cuper-Dust" showed that it consisted of siliceous material and cuprous oxide, the cuprous oxide being the only active ingredient. The product actually contained 3.27 percent of cuprous oxide.

An examination of a sample of "Killer-Cuper" showed that the product consisted of siliceous material, lime, cuprous oxide, and calcium arsenate and arsenite. The product actually contained 3.66 percent of cuprous oxide.

An examination of samples of "Irish Potato Spray" showed that the product contained calcium arsenate, calcium arsenite, cuprous oxide, and other ingredients which were inert. The average cuprous oxide content was 10.05 percent.

An examination of samples of "New Pyro-Cuper" showed that the product contained siliceous material, an organic thiocyanate, a small amount of pyrethrins, and cuprous oxide. This product actually contained 3.87 percent of cuprous oxide.

On July 9, 1945, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Ole A. Flaata and Lawrence A. Brown, individuals, doing business as copartners under the style and trade name of Flaata Farm Supply Co., alleging shipment in interstate commerce, on or about July 28, 1943, June 23, 1943, May 25, 1944, and June 28, 1944, from Grand Forks, N. Dak., to Minneapolis, Minn., of quantities of "Super Pyro-Cuper, Cuper-Dust, Killer-Cuper, Irish Potato Spray, and New Pyro-Cuper" which were deemed to have been adulterated and misbranded insecticides within the meaning of the Insecticide Act of 1910.

In count one, the product "Super Pyro-Cuper" was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as the product was labeled "Yellow Cuprous Oxide * * * 4.60% * * * (Total Copper Content 4.1%)," whereas said product contained less than 4.60 percent cuprous oxide and less than 4.10 percent copper expressed as metallic copper.

In count two, the said product was alleged to be misbranded in that it was labeled "Yellow Cuprous Oxide * * * 4.60% * * * (Total Copper Content 4.1%)," which said statement was false and misleading and served to deceive and mislead the purchaser in that said product contained less than 4.60 percent cuprous oxide and less than 4.10 percent copper expressed as metallic copper.

In count three, the product "Cuper-Dust" was alleged to be adulterated in that said product's strength or purity fell below the professed standard or quality under which it was sold, as the product was labeled "Yellow Cuprous Oxide * * * 4.60% Inert Ingredients 95.40% Total 100.00% (Total Copper Content 4.10%)," whereas said product contained less than 4.60 percent

cuprous oxide, less than 4.10 percent copper expressed as metallic copper, and more than 95.40 percent inert ingredients.

In count four, said product was alleged to be misbranded in that the statements, "Yellow Cuprous Oxide * * * 4.60% Inert Ingredients 95.40% Total 100.00% (Total Copper Content 4.10%)," borne on the labels, were false and misleading and served to deceive and mislead purchasers, since said product contained less than 4.60 percent cuprous oxide, less than 4.10 percent copper expressed as metallic copper, and more than 95.40 percent inert ingredients. The said product was further misbranded within the meaning of the Insecticide Act in that the statement "25 Lbs.," borne on said product's labels, was false and misleading and served to deceive and mislead purchasers in that the net weight of said product was less than 25 pounds.

In count five, the product "Killer-Cuper" was alleged to be adulterated in that the said product's strength or purity fell below the professed standard or quality under which it was sold in that said product was labeled "Yellow Cuprous Oxide * * * 4.60%," whereas said product contained less than 4.60 percent cuprous oxide.

In count six, said product was alleged to be misbranded in that the statement, "Yellow Cuprous Oxide * * * 4.60%," borne on the labels, was false and misleading and served to deceive and mislead purchasers, since said product contained less than 4.60 percent cuprous oxide. Said product was further alleged to be misbranded in that the statement, "25 Lbs.," borne on the label, was false and misleading and served to deceive and mislead purchasers in that the net weight of said product was less than 25 pounds.

In count seven, the product "Irish Potato Spray" was alleged to be adulterated in that said product's strength or purity fell below the professed standard or quality under which it was sold, as the product was labeled "Active Ingredients * * * Cuprous Oxide 13.9%, Inactive Ingredients 50.75%, Metallic Copper Content 12.4%," whereas said product contained less than 13.9 percent cuprous oxide, more than 50.75 percent inactive ingredients, and less than 12.4 percent copper expressed as metallic copper.

In count eight, said product was alleged to be misbranded in that the statements, "Active Ingredients * * * Cuprous Oxide 13.9%, Inactive Ingredients 50.75%, Metallic Copper Content 12.4%," borne on the labels, were false and misleading and served to deceive and mislead the purchasers in that said product contained less than 13.9 percent cuprous oxide, more than 50.75 percent inactive ingredients, and less than 12.4 percent copper expressed as metallic copper.

In count nine, said product was alleged to be further misbranded within the meaning of the Insecticide Act in that the article was a product other than lead arsenate or paris green containing arsenic and the label did not bear a statement of the total amount of arsenic expressed as metallic arsenic.

In count ten, the product "New Pyro-Cuper" was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since the labels stated "Cuprous Oxide 4.60% * * * (Total Copper 4.1%)," whereas said product contained less than 4.60 percent cuprous oxide and less than 4.10 percent copper expressed as metallic copper.

In count eleven, the product "New Pyro-Cuper" was alleged to be misbranded in that the statements "Cuprous Oxide 4.60% * * * (Total Copper 4.1%)," borne on the labels were false and misleading and served to deceive and mislead purchasers since said product contained less than 4.60 percent cuprous oxide and less than 4.10 percent copper expressed as metallic copper.

On September 18, 1945, the defendants having entered a plea of nolo contendere, the court assessed a fine of \$35 for each defendant on each of the 11 counts, or a total fine of \$770, and imposed costs in the sum of \$37.

2012. Adulteration and misbranding of "Linco." U. S. v. 507 one-half gallon jugs, more or less, of "Linco." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2469. I. D. No. 15809.)

Examination of samples of "Linco" showed that it was a sodium hypochlorite solution and contained approximately 4.43 percent of sodium hypochlorite.

On June 25, 1947, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 507 one-half gallon jugs, more or less, of "Linco" at La Crosse, Wis., alleging that the product had been shipped in interstate commerce, on or about June 10, 1946, from Chicago, Ill., by the Linco Products Co., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled "Active Ingredients: Sodium Hypochlorite 5.25% by Wt. Inert Ingre.: 95.75% by Wt.," while it contained less than 5.25 percent of sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

It was alleged that the product was misbranded in that the statements, "Active Ingredients: Sodium Hypochlorite 5.25% by Wt. Inert Ingre.: 94.75% by Wt.," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser, since the product contained less than 5.25 percent sodium hypochlorite by weight and more than 94.75 percent inert ingredients by weight.

On July 21, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2013. Adulteration and misbranding of "Lunox Washing Fluid." U. S. v. 1,812 quart bottles and 101 gallon bottles, more or less, of "Lunox Washing Fluid." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2466. I. D. No. 15540.)

An examination of samples of "Lunox Washing Fluid" showed that this product was a sodium hypochlorite solution and contained 4.25 percent of sodium hypochlorite.

On May 28, 1947, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,812 quart bottles and 101 gallon bottles, more or less, of Lunox Washing Fluid at Utica, N. Y., alleging that the product had been shipped in interstate commerce on or about December 4, 1945, and August 14, 1946, by the Lunox Chemical Works from Avoca, Pa., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled "Active Ingredient Sodium Hypochlorite 5.25% by wt. Inert Ingredients 94.75% by wt.," while it contained less than 5.25 percent sodium hypochlorite and more than 94.75 percent inert ingredients.

It was alleged that the product was misbranded in that the statements "Active Ingredient Sodium Hypochlorite 5.25% by wt. Inert Ingredients 94.75% by wt.," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser, since the product contained less than 5.25 percent sodium hypochlorite and more than 94.75 percent inert ingredients.

On July 23, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2014. Misbranding of "Germ-a-Zone." U. S. v. 429 dispensers, more or less, of "Germ-a-Zone." Default decree of condemnation, forfeiture, and destruction. (I. & F. No. 2462. I. D. No. 14541.)

An examination of "Germ-a-Zone" showed this product to be an automatic atomizer containing glycols, isopropyl alcohol, a compound of the nature of a quaternary ammonium compound, together with a propellant.

On or about April 15, 1947, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 429 dispensers, more or less, of "Germ-a-Zone" at Washington, D. C., alleging that the product had been shipped in interstate commerce on or about January 3, 1947, by the Knapp-Monarch Co. from St. Louis, Mo., and charging that the product was a misbranded fungicide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was misbranded in that the statements shown on the labels affixed to the dispensers in which said product was packed and the labeling on the circulars accompanying said product stated in part:

(Atomizer label)

"Germ-a-Zone * * * Germicidal * * * Air Spray * * * It disinfects The Air * * * Kills Pneumococci Streptococci Influenza Virus Staphylococci and certain other disease-spreading germs many of which cause the common Cold, Sinusitis, Scarlet Fever and Mumps * * * In Nursery Close windows and doors; spray until light mist permeates room. To assure complete air disinfection spray hourly. * * * Other Uses Spray sleeping rooms, rest rooms, telephones, refrigerators, food storage containers, door knobs, etc. A safety precaution for use in office buildings, hotels and public institutions. * * * For Bathrooms spray entire wash-stand, bath tub, toilet set and bowl directly—covering with a light film. * * * In Sickroom Close windows

and doors; spray until light mist permeates room. Repeat hourly to guard against air-borne germs. In the Kitchen Spray sink and drainboards directing spray into drain. Cover entire surface with a light film. * * * To Kill Air-Borne Germs, close windows and door of room to be sprayed. In average 10' x 10' x 10' (1,000 cu. ft.) room, spray for 8 to 10 seconds. To Kill Germs on Surfaces, spray from a distance of about 1 ft. covering with a light film. For Most Effective Results From Germ-a-Zone Follow instructions for various suggested uses. Spray often to safeguard against infectious germs in sickrooms, bathrooms, kitchens, and all germ-laden household items. Store dispenser in cool dry place."

(Circular)

"Kills Disease Germs in the Air * * * on Surfaces. * * * Germ-a-Zone kills such germs as Pneumococci, Streptococci, Staphylococci, Influenza Virus, etc. that cause such diseases as the common Cold, Sinusitis, Influenza, Scarlet Fever, Mumps, 'Strep Throat', Boils, etc. * * * 'Push Button' Protection against the Spread of Disease Germs At the pressing of a button, you can now have protection against the spread of disease-germs causing such diseases as Influenza Common Colds Boils Pneumonia 'Strep Throat' Mumps Sinusitis Scarlet Fever and certain others. Germ-a-Zone, used as directed, means death to bacteria, viruses, etc. in the air; on floor and walls; on plumbing fixtures, furniture, food containers, etc. Germ-a-Zone destroys germs on contact!" "Use Germ-a-Zone In the Sick-room In the Nursery In Bathrooms On Toilets In Sleeping Rooms On Telephones In the Kitchen On Door Knobs In Refrigerators And Food Containers The regular use of Germ-a-Zone is an excellent safety precaution for use in office buildings, hotels, institutions, by travelers and people using public facilities. * * * Disinfects Germ Zones including toilets, bath tubs, telephones, food storage containers, and other focal spots for disease germs. * * * In sickroom. Germ-a-Zone kills germs in the air, on furniture, utensils, etc. Protects the family. * * * For Travelers. Use Germ-a-Zone for protection in sleeping rooms and bathrooms in hotels, on trains, etc.,"

which said statements were false and misleading and served to deceive and mislead prospective purchasers of said product in that said statements purported and represented that the product, when used as directed, would destroy all germs on contact, kill all disease germs in the air and on surfaces, disinfect the air or disinfect the surfaces of toilets, bath tubs, telephones, food-storage containers, floors, walls, plumbing fixtures, furniture, and the other objects indicated on the label as claimed; that it could be relied upon to kill pneumococci, streptococci, staphylococci, and other disease-spreading germs, to prevent the spread of all the disease germs and viruses causing influenza, common colds, sinusitis, scarlet fever, mumps, boils, pneumonia, or "strep-throat," or to protect the family and traveler from infection with all of those germs and viruses as stated; and that when used as directed it would act as a safeguard against infectious germs in sickrooms, bathrooms, sleeping rooms, nurseries, office buildings, institutions, kitchens, or trains, whereas, in truth and in fact, said product when used as directed would not destroy all germs on contact, kill all disease germs in the air and on surfaces, disinfect the air or disinfect the surfaces of toilets, bath tubs, telephones, food-storage containers, floors, walls, plumbing fixtures, furniture, and the other objects indicated, as claimed; it could not be relied upon to kill pneumococci, streptococci, staphylococci, and other disease-spreading germs, to prevent the spread of all disease germs and viruses causing influenza, common colds, sinusitis, scarlet fever, mumps, boils, pneumonia, or "strep throat," or to protect the family and the traveler from infection with all of these germs and viruses as stated. When used as directed it would not act as a safeguard against infectious germs in sickrooms, bathrooms, sleeping rooms, nurseries, office buildings, institutions, kitchens, or trains.

On May 28, 1947, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

2015. Adulteration and misbranding of "Kloro-Kleen. U. S. v. 317 one-half-gallon and 1,614 quart containers, more or less, of "Kloro-Kleen." Decree of condemnation, forfeiture, and destruction. (I. & F. 2444. I. D. No. 14613.)

Analysis of "Kloro-Kleen" showed that the product contained 19.8 percent less sodium hypochlorite than was stated on the label.

On November 15, 1946, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court a libel praying seizure and condemnation of 317 one-half-gallon and 1,614

quart containers, more or less, of "Kloro-Kleen," at Keokuk, Iowa, alleging that the product had been shipped in interstate commerce on or about September 20, 1945, and September 24, 1945, from Springfield, Ill., by C. G. Whitlock Co., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

It was alleged that the product was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since it was labeled "Sodium Hypochlorite 5% Inert Ingredients 95%," while it contained less than 5 percent sodium hypochlorite and more than 95 percent inert ingredients.

It was alleged that the product was misbranded in that the statements, "Sodium Hypochlorite 5%, Inert Ingredients 95%" and "Deodorant Antiseptic and Disinfectant * * * Available Chlorine solution of 200 parts per million is prepared by adding one ounce Kloro-Kleen to two gallons of water" were false and misleading and would serve to deceive and mislead purchasers of said product in that said product contained less than 5 percent sodium hypochlorite, more than 95 percent inert ingredients, and the product when used as directed would not give a solution containing 200 parts per million of available chlorine or a solution strong enough to effectively disinfect.

On April 2, 1947, no claimant having appeared, a default decree of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

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